

ARTICLE 5

ESTABLISHMENT OF DISTRICTS

Section 5-1 General or Conditional Use Zoning Districts

5-1.1 Types of Districts

For the purpose of this ordinance the Town of Jonesville and its extraterritorial planning jurisdiction is divided into the following districts:

General or Conditional Use Districts:

R-20 or R-20CU	Low Density Residential District
R-12 or R-12CU	Medium Density Residential District
R-10 or R-10CU	High Density Residential District
B-1 or B-1 CU	Central Business District
B-2 or B-2CU	General Business District
B-3 or B-3CU	Neighborhood Business District
M-1 or M-1CU	Manufacturing District

Overlay Districts:

R-MH	Residential - Manufactured Housing District
WS-IV-CA	Yadkin River - Critical Area
WS-IV-PA	Yadkin River - Protected Area

5-1.2 Intent

General and Conditional Use Districts

- (a) R-20 Residential District: A low density residential district outside the corporate limits of Jonesville, but inside its extraterritorial jurisdiction where low density residential and agriculture uses are the primary activities. *Housing units shall include site built units as well as Class A and B manufactured homes.* In the future, specific sites may be rezoned for other uses (higher density residential, commercial, or industrial uses), provided the use is in accordance with the development policies of the community.
- (b) R-12 Residential District: A medium density residential district inside the corporate limits where the primary uses are single-family dwelling units and other compatible uses such as churches and schools. *Only site-built or modular units are permitted.* Sites are expected to have both public water and sewer.

- (c) R-10 Residential District: A high density residential district inside the corporate limits. The primary uses are single family, duplex, and multi-family dwelling units and other compatible uses such as churches and schools. Only *site-built and modular units are permitted*. Sites are expected to have both public water and sewer.
- (d) B-1 Central Business District: A downtown retail and service district where setbacks - front, side or rear - are not generally required. Often buildings share common walls. Uses are discouraged that are not contained inside a structure.
- (e) B-2 General Business District: A business district along the major thoroughfares in the community. Within this district can be located a wide variety of compatible retail sale and service activities as well as light manufacturing uses. In most cases, with proper site planning these activities tend to create little noise, air or water quality problems off-site or appearance concerns with outside storage of materials or finished products, or traffic congestion.
- (f) B-3 Neighborhood Business District: A neighborhood business district for small scale retailing of goods and services to the adjacent residential neighborhood. Uses should be encouraged that are low traffic generators, employ few people, and operate in relatively small work spaces. (A Wal-Mart discount store would not be allowed, but a specialty shop such as a women's dress shop or a small appliance repair shop would be encouraged.)
- (g) M-1 Manufacturing District: An industrial, wholesaling, and warehousing district. The intent is to provide areas for manufacturing activities while restricting those uses that would be detrimental to the health, safety and welfare of the community.

Overlay Districts

- (h) R-MH Residential-Manufactured Housing: Within the R-12 Residential District manufactured housing units are not permitted by right but the Town of Jonesville can designate a specific area within this district to permit manufactured housing that meets certain development standards. This designated area shall consist of at least five contiguous properties.
- (i) WS-IV - CA Yadkin River - Critical Area: The critical area represents the land area half (1/2) a mile upstream from the intake and draining into the Yadkin River. Because the risk of pollution is directly related to the proximity to the water supply, development standards are higher in the critical area than in the balance of the watershed. The intent is to maintain current development patterns in order to minimize the risk of pollution from more intense land uses. Only new development activities that require an erosion and sedimentation control plan under state law are required to meet

the provisions of Article 7 Watershed Regulations when located in the WS-IV watershed.

- (j) WS-IV - PA Yadkin River - Protected Area: The protected area represents the land area ten (10) miles upstream and draining into the Yadkin River above the water intake, excluding the area in the critical area. Because development is further away from the intake, development standards are less (more dwelling units/acre and greater impervious limits) than in the critical area. The development standards are intended to allow a moderate to high land-use intensity. Only new development activities that require an erosion and sedimentation control plan under state law are required to meet the provisions of Article 7 Watershed Regulations when located in the WS-IV watershed.

5-1.3 General Use or Conditional Use Procedure

Depending on the choice between general or conditional use, the petitioner shall take the steps in (a) or (b) below.

- (a) General Use: If the petitioner elects to seek a general-use district, he may refer, either in his petition or any hearings related to the petition, to the use intended for his property. However, The Town Council shall consider the full range of uses within that particular zoning district when approving or disapproving the petition. If approved as a general use district, any of the permitted uses may be allowed, provided all other requirements of this ordinance or met (i.e. dimensional requirements, signage, etc).
- (b) Conditional Use:
 1. If the petitioner elects to seek conditional use district zoning, he must specify the actual use intended for the property among those listed for that particular district. The council shall approve or disapprove the petition on the basis of the specific use requested.
 2. If the petition is approved, the Town Council shall issue a conditional use permit authorizing the requested use with such reasonable conditions as the Town Council determines to be desirable in promoting public health, safety, and general welfare. The conditions may include, but are not limited to the following: (1) location of the proposed use on the property; (2) the number of dwelling units; (3) the location and extent of support facilities such as parking lots, driveways, and access streets; (4) location and extend of buffer areas and other special purpose areas; (5) the timing of development; and (6) a statement that petitioners shall incorporate in any future conveyance of this property a detailed description of the conditional use permitted and all the conditions imposed; and (7) such other matters as the petitioners may propose or the Town Council may find appropriate, but not to include architectural review or controls.

3. The administrator shall file a copy of the conditional use permit in the town hall.
4. If the petitioners want to change the conditional use permit from one use to another, he must reapply for another conditional use zoning permit.

Section 5-2 District Boundaries Shown on Zoning map

The boundaries of the districts as shown on the map accompanying this ordinance are entitled "Official Zoning Map, Jonesville, North Carolina." The zoning map and all the notations, references, amendments, and other information shown are made a part of this ordinance the same as if the information set forth on the map was all fully described. The zoning map properly attested is posted at the Jonesville Town Office and is available for inspection by the public.

Section 5-3 Due Consideration Given to District Boundaries

Where uncertainty exists as to the boundaries of any of the districts as shown on the zoning map, the following rules shall apply:

- 5-3.1 Where the district boundaries are indicated as approximately following streets, alleys, or highways, the center lines shall be construed to be the boundaries;
- 5-3.2 Where district boundaries are indicated as approximately following lot lines, the lot lines shall be construed to be the boundaries;
- 5-3.3 Where district boundaries are indicated as approximately being parallel to the center lines of streets, alleys, highways, or the rights-of-way of same, the district boundaries shall be construed as being parallel and at the distance indicated on the zoning map; and
- 5-3.4 Where a district boundary line divides a lot or tract in single ownership, the district requirements for the least restricted portion of the lot or tract shall be deemed to apply to the whole provided such extensions shall not include a part of a lot or tract more than thirty-five (35) feet beyond the district boundary line. The term "least restricted" shall refer to use restrictions, not lot or tract size.

Section 5-4 Only One Official Map

The final authority for the current zoning status of land, buildings or other structures in the affected territory shall be the official zoning map, which is located in the Town Hall. If any copies of the official map are different from the original, the official map shall be the final authority.